

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.12 of 2020

- Yashwanti Sarthi (Wrongly Mentioned As Yashwant Sarthi In the Impugned Order), D/o Videshi Sarthi, Aged About 19 Years, R/o Pulda, Tahsil Kharsiya, Police Station - Kharsiya District – Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Kharsiya, Civil And Revenue District - Raigarh Chhattisgarh

---- Respondent

For Applicant
For Respondent

Shri Kashif Shakeel, Advocate
Shri K. K. Singh, GA

Proceeding through Video Conferencing

Hon'ble Justice Mr. Prashant Kumar Mishra

Order On Board

29/06/2020

1. The applicant has preferred this bail application under Section 438 of CrPC, as she is apprehending her arrest in connection with Crime No.290/2019, registered at Police Station Kharsiya, District Raigarh (C.G.), for the offence punishable under Section 376 of IPC, Section 67-B of the Information Technology Act and Section 3 (1) (B)1, 3 (2) (v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.
2. As per the prosecution case, the prosecutrix, aged about 20 years, was provided a job by main accused Laxmi Narayan Sahu. The main accused thereafter sought some funds from the

prosecutrix and in connection with this transaction, the main accused Laxmi Narayan Sahu developed intimacy and sexually exploited the prosecutrix with the assistance of the present applicant, who happens to be the friend of the prosecutrix.

3. Learned State counsel would oppose the prayer for grant of bail.
4. Admittedly, the main accused Laxmi Narayan Sahu has been allowed regular bail by this Court in MCRC No.5742/2019. The present applicant is a young girl, aged about 19 years, therefore, considering that the allegation against her is only of assisting the main accused in sexually exploiting the prosecutrix as also for the reason that the main accused himself has been released on regular bail, this Court is inclined to release the applicant on anticipatory bail.
5. Accordingly, the bail application is allowed and it is directed that in the event of arrest of the applicant, she shall be released on anticipatory bail on her executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the Arresting Officer with the following conditions:-
 - (i) she shall make herself available for interrogation by a police officer as and when required.
 - (ii) she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

Sd/-
Prashant Kumar Mishra
Judge